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SUBJECT: EASTERN DRC NOTES - JANUARY 23: NKUNDA CAPTURED
IN RWANDA

¶1. (U) The items contained in this report consist principally of spot information from various sources. This report is not exhaustive, nor can all the information contained therein be confirmed at this time.

Nkunda Captured

¶2. (SBU) Multiple press sources reported that Nkunda was captured on Rwandan territory late evening January 22. A spokesperson for the DRC/Rwanda "joint operations command" announced that Nkunda was arrested as he fled to Rwanda after having attempted to repel a joint Rwandan/Congolese force with three of his battalions at Bunagana. Goma PolOff noted that there are two scenarios circulating regarding Nkunda's fate: the first is that he was "arrested" (in the full sense of the term); the second is that he is voluntarily discussing next steps with Rwandan officials. (Comment: the difference between the two scenarios may in fact be very minimal. End Comment.)

Rwandan Forces in the DRC

¶3. (SBU) Goma PolOff reported that estimates of the number of Rwandan soldiers now in the DRC range from 3,000-7,000. MONUC has confirmed the presence of RDF personnel along the Rumangabo-Kinyandoni axis and the Rumangabo-Mushake axis. RDF troops are also present in Tongo, where residents are apparently feeding them. Reports that the RDF may have reached towns to the north and south of Masisi have not been confirmed. MONUC reports that Rwandan forces are lightly armed and traveling on foot. Most reports indicate they are moving alone, without accompanying FARDC or CNDP forces.

¶4. (SBU) MONUC speculates that clashes with the FDLR may happen first near Kinyandoni (north of Kiwanja), where FDLR and Mai Mai forces are active. Some contacts with sources within the FDLR, however, believe the group will avoid contact and fade into the forest, as they did when CNDP forces advanced through the area in late 2008. Some sources speculate that Rwanda hopes the threat of combat will convince up to 50 percent of the FDLR to defect without kinetic engagement.

¶5. (SBU) A Belgian Embassy contact told post that he had heard unconfirmed reports that the FDLR had engaged with FARDC forces in Shabunda, a city in northwestern South Kivu, near the Maniema border. The speculation was that, if the reports were true, the FDLR might attempt to distract/attack FARDC positions far away from the anticipated theater of operations in Masisi and Rutshuru.

¶6. (SBU) All FARDC roadblocks have been lifted, so MONUC finally has unhindered access to the north from Goma, after a "humiliating" cap on its movement by the FARDC. NGOs are also able to freely

travel northwards. Journalists were able to move as far north as Rumangabo on January 22, and expect further freedom of movement on January 23. FARDC and some CNDP movements through Goma and its airport have increased, but the city remains calm.

Integrating the CNDP and PARECO

¶17. (SBU) The FARDC and CNDP are integrating their forces through a process that DRC General Numbi described as "integrate while we operate" as opposed to "integrate then operate." He told MONUC commanders that this can occur in two ways. The first is individual integration of CNDP elements, which come forward spontaneously. According to Numbi, 20 CNDP officers already stepped forward to integrate immediately into the FARDC. The second is a collective integration of CNDP units. A newly-formed joint FARDC-CNDP Integration Commission, with MONUC participation, will develop the mechanics for this process. The commission will decide on principles and modalities of execution of the planned integration and will hold its first meeting on January 23.

¶18. (SBU) General Numbi estimated that 20 percent of the CNDP are "not signed up" to the alliance with the FARDC (which he later reduced to an estimate of five percent). MONUC reported tensions between the two forces in Rutshuru, where residents reportedly welcomed the FARDC (Note: Some sources estimate that Ntaganda did not bring as many commanders or fighters into the alliance with the FARDC as hoped, leaving Numbi and Rwanda the job of "persuading" recalcitrants. End Note). General Numbi believes CNDP fighters

KINSHASA 00000078 002 OF 003

equal approximately 3,000, far lower than most estimates. These forces would be integrated with the two non-integrated FARDC brigades present in North Kivu. The plan is to then send these units to the Nyaleke training center for a three-month training program (Note: This could preclude their participation in the operation against the FDLR. End Note).

¶19. (SBU) PARECO (Lafontaine and Mugabo wings) elements have also agreed to participate in the integration exercise. However, many of them have no prior military training. It is likely therefore that they will first receive training and will not participate in the joint anti-FDLR operations.

MONUC Actions

¶10. (SBU) MONUC forces in North Kivu are focusing on protection of civilians. MONUC planners have identified three primary sites where combat could generate large IDP flows: Nyamlima, Pinga and Masisi. MONUC plans to divert forces currently in Goma to those areas, but MONUC commanders readily acknowledge that their forces are inadequate to prevent mass killings, if the FDLR retaliates against civilians. MONUC's North Kivu brigade has held discussions with the brigade commander for South Kivu, and will produce similar plans for that province.

Repatriation: A Continuing Option

¶11. (SBU) In a demonstration that repatriation remains a viable option for the FDLR, the MONUC DRRR Unit traveled by helicopter to Kasiki, North Kivu on January 22 and returned with 11 ex-combatants and dependents of the FDLR-RUD. They are representatives of a larger group of RUD ex-combatants who remain cantoned at Kasiki. The 11 will participate in a one-two week "go and see" visit to Rwanda, returning to Kasiki to report on their findings.

¶12. (SBU) While the numbers are not large, the International Facilitation team, in conjunction with the GDRC and GoR representatives on the JMG-TF, hope this visit will demonstrate the continued viability of repatriation as an option for foreign combatants who are weary of conflict. The success of the operation,

after months of wrangling about demands and logistical details, is concrete evidence of a broad spirit of cooperation.

Future of Nairobi Talks

¶13. (SBU) In many ways, the CNDP has been sidelined, but UN advisors still see a role for the Nairobi talks, scheduled to resume on January 25. A senior political advisor noted that the UNSYG appointed Obasanjo as Special Envoy to the Great Lakes, and not just as a mediator on the CNDP rebellion. MONUC expects Obasanjo and Mkapa to continue to play a role in negotiating Nkunda's future role (or exit), and managing issues connected with evolving events. A contact at MONUC Kinshasa told post that Kabila still supports the talks, although our MONUC contact questioned what a Bosco-led CNDP delegation would negotiate with the GDRC. Obasanjo might not be present for resumption of the Nairobi talks.

Public/Parliamentary Actions and PR Issues

¶14. (SBU) Media sources in Bukavu report that many local residents and South Kivu members of the National Assembly are opposed to operations against the FDLR (Note: While the FDLR is not popular, there are reports of FDLR movements in South Kivu, and residents may fear retaliation. End Note). Residents of Goma and Rutshuru have also criticized Rwandan involvement, and fear a return to the practices of the RCD provincial government. The current operation is widely seen as Kabila's initiative. The president is no longer popular in Goma, and if the operation against the FDLR fails, or if the Rwandans do not leave quickly, his standing will sink further, according to one local analyst.

¶15. (SBU) At the same time, voices in Kinshasa (Parliament, civil society, and the press) appear to be even more critical of the RDF presence, according to MONUC headquarters. The Chairman of the National Assembly's External Relations committee told MONUC that there Kivu deputies are discontent, to the extent that some are considering leaving the governing coalition. The GDRC, according to

KINSHASA 00000078 003 OF 003

our MONUC contacts, has not done a good job of communicating the purpose of the Rwandan presence. As an example, the government spokesperson continues to insist that the Rwandan presence in Eastern DRC only consists of Rwandan intelligence officers. This PR vacuum has been filled by opposition, Parliament, and community leaders.

¶16. (SBU) Two senior MONUC officials met January 22 with the President of North Kivu Parliament, Mai Mai leaders, and Walikale community leaders. The message from all three groups was the same: all were unhappy they were not consulted on this operation beforehand; all are worried about possible humanitarian consequences; but all nevertheless want to sign up for the anti-FDLR effort.

Comment

¶18. (SBU) Nkunda's detention is a good news story that provides further evidence of the apparently excellent cooperation between the GDRC and GoR in the course of this operation - each side is getting what it wants for the moment. Nkunda's ultimate fate remains unclear: the GDRC would most likely request his extradition to stand trial on charges of mutiny; exile to a third-country is another possibility that has been discussed over the years.

¶19. (SBU) Bosco Ntaganda's fate remains a troubling question as well. His apparent willingness to allow CNDP forces to be quickly integrated into the FARDC would seem to point to a concrete deal worked out beforehand with the GDRC. In fact, General Numbi told MONUC that the Minister of Justice has traveled to The Hague to take up the matter with the ICC. He reportedly underscored the

desirability of the ICC suspending the arrest warrant given the positive role that Ntaganda has played in ending the CNDP rebellion.

GARVELINK